

PATENT

REMARKS

Claim 2-29 are pending in the present application.

Several editorial changes have been made in claims 20 and 24.

In the aforementioned Office Action, the Examiner rejected claims 2-29 under the judicially created doctrine of obviousness-type double patenting over claims 1-29 of U.S. Patent No. 6,285,655.

Accompanying with this amendment, a terminal disclaimer is filed pursuant to 37.C.F.R. § 1.321(c). Furthermore, claims 25 and 28 have been canceled. Accordingly, the Examiner's double-patenting rejection on the remaining claims, claims 2-24, 26, 27 and 29 are thereby obviated. Withdrawal of the rejection is respectfully requested.

Claims 24-29 were also rejected under 35 U.S.C. § 102(e) as being anticipated by *Kotzin et al.* (U.S. Patent No. 6,173,005).

As mentioned above, claims 25 and 28 have been canceled and the Examiner's rejection on these claims is thereby averted. Independent claims 24 and 27 have been amended. Each of amended claims 24 and 27 now recites, *inter alia*, that each particularized transmission has pilot data covered by a pilot Walsh sequence having "a concatenated sequence of a basic Walsh sequence." Nowhere is there any mention of concatenating any sequence in *Kozin et al.*, much less concatenating a basic Walsh sequence. For at least the foregoing reason, independent claims 24 and 27 are therefore submitted to be patentable over *Kozin et al.* Claims 26 and 29, which are dependent claims and have been amended to depend on their respective independent claims 24 and 27, are also submitted to be patentable for the same reasons that claims 24 and 27 are believed to be patentable. Accordingly, it is respectfully requested that the rejection on claims 24, 26, 27 and 29 under 35 U.S.C. § 102(e) be withdrawn.

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In light of the above amendment and remarks, and with the aforementioned terminal disclaimer filed, all claims remaining in the application, i.e., claims 2-24, 26, 27, and 29, are submitted to be patentable over the prior art. Applicants believe the application is in condition for allowance. Reconsideration and an early allowance are respectfully requested.

In the event of any fees or overpayments that may be due with this response, please charge or deposit the amount to Deposit Account No. 17-0026.

Respectfully submitted,

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